

REMARKS

In the outstanding Office Action dated March 3, 2006, claims 1–22 are pending. Claims 5–6, 12–13, 15–16 have been elected without traverse. Claims 5–6, 12–13 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,842,148 (“Prendergast”). Claims 15–16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,975,840 (“DeTore”).

Applicants cancel claims 1–22 without prejudice or disclaimer. Applicants add new claims 23–38. The elected Group II claims were allegedly drawn to maintaining and utilizing databases, classified in class 707, subclass 104.1. New claims 23–38 would have been classified in Group II had the claims been filed in the initial application. Specifically, independent claims 23 and 32 recite “maintaining a database identifying a plurality of technologies that reduce risk of loss to an associated building structure,” and thus relate to the maintenance and utilization of databases.

Support for claims 23–38 can be found throughout the specification. For example, altering terms of an insurance policy based on data output by incorporated technology, as recited in new independent claim 23, and determining the condition of an insured building structure based on data output by incorporated technology, as recited in new independent claim 32 are both described at least in paragraph [0028]. No new matter is added.

Neither Prendergast nor DeTore describes, teaches, or suggests, using data output by technology incorporated into building structures to alter the terms of an insurance policy or to determine the condition of an insured building as recited in independent claims 23, and 32, respectively. Thus, Applicants request allowance of new claims 23–38

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Reply to Office Action of March 3, 2006

Docket No.: HSDO-P01-003

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this response other than as reflected on the enclosed Amendment Transmittal. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. HSDO-P01-003 from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

Edward A. Gordon

Registration No.: 54,130

FISH & NEAVE IP GROUP, ROPES & GRAY
LLP

One International Place
Boston, Massachusetts 02110-2624
(617) 951-7000
(617) 951-7050 (Fax)
Attorneys/Agents For Applicant